

# Agency 37 - Workers' Compensation Court

## Statutory Authority:

The Nebraska Workers' Compensation Court was created in 1935 pursuant to Article V, Section 1, of the Constitution of the State of Nebraska. Chapter 48, Sections 101-191, 1,110, and 113-1,118 of the Revised Statutes of Nebraska provide for the authority and responsibilities of the Court. The Court also operates in accordance with its Rules of Procedure which have been adopted pursuant to section 48-163. Section 48-1,116, establishes the Compensation Court Cash Fund which was created in 1993 to aid in providing for the expense of administering the Act and for the salaries and expenses of the personnel of the Court.

## Vision Statement:

The vision of the Court is to impartially, effectively, and efficiently administer and enforce the provisions of the Nebraska Workers' Compensation Act, to provide prompt resolution of disputed cases, and to provide information and assistance to further the purposes of the act.

## Mission Statement:

The mission of the Nebraska Workers' Compensation Court is to administer and enforce the Nebraska Workers' Compensation Act, except those provisions that are committed to the courts of appellate jurisdiction.

The principles of the Court are to remain impartial in all disputes between employers and employees and other matters that come before the court, to be responsive to the needs of the various parties involved in the workers' compensation system, and to operate programs effectively and efficiently so as to minimize system costs.

## Goals:

1. Adjudicate contested cases in a timely fashion within the formal hearing process
2. Provide a program to resolve disputed issues or cases through informal means
3. Oversee vocational rehabilitation counselors and services that return injured employees to suitable employment
4. Administer programs to implement statutes authorizing managed care for workers' compensation, establishing an independent medical examiner system, allowing a schedule of maximum fees for medical services, and governing the rights and obligations of system participants related to medical services
5. Enforce compliance with insurance coverage and reporting provisions in the Nebraska Workers' Compensation Act
6. Administer a program for self insurance in accordance with the Nebraska Workers' Compensation Act
7. Process first reports of injury and records of compensation payment so that data is readily accessible and accurate as reported
8. Inform, educate, assist, and train system participants

## Financial Data:

	Actual FY00	Approp FY01	Request FY02	Recom FY02	Request FY03	Recom FY03
General Fund	0	0	0	0	0	0
Cash Fund	3,038,371	3,405,855	3,760,767	3,580,258	3,754,261	3,694,383
Federal Fund	29,033	27,157	27,553	28,460	27,553	29,806
Revolving Fund	0	0	0	0	0	0
Other Fund	0	0	0	0	0	0
Total Agency	3,067,404	3,433,012	3,788,320	3,608,718	3,781,814	3,724,189

## Agency 37 - Workers' Compensation Court

### Program 526 - Judges' Salaries

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#### Program Objectives:

This program is maintained solely for the purpose of tracking the salaries, benefits, and workers' compensation assessment for the seven judges of the Workers' Compensation Court. All other administrative and adjudicative expenses are budgeted to Program 530. The salary level is established by statute (section 48-159) at 92.5% of the salary level of the Supreme Court justices.

#### Financial Data:

	Actual FY00	Approp FY01	Request FY02	Recom FY02	Request FY03	Recom FY03
General Fund	0	0	0	0	0	0
Cash Fund	735,566	768,389	810,882	816,468	810,882	821,809
Federal Fund	0	0	0	0	0	0
Revolving Fund	0	0	0	0	0	0
Other Fund	0	0	0	0	0	0
<b>Total Agency</b>	<b>735,566</b>	<b>768,389</b>	<b>810,882</b>	<b>816,468</b>	<b>810,882</b>	<b>821,809</b>

#### Performance Measures:

Performance measures are not appropriate for salaries set by statute for judges. A measure of their work is provided in Program 530 as part of the total Court effort to promptly resolve disputed cases.

## Agency 37 - Workers' Compensation Court Program 530 - Work Comp Administration

### Program Objectives:

The objectives of this program and the Court in general are to administer and enforce the Nebraska Workers' Compensation Act and meet all obligations established for the Court under the Act. The Court also conducts a survey of work-related injuries and illnesses and a data collection program for fatal injuries pursuant to two grants from the U.S. Department of Labor - Bureau of Labor Statistics (BLS). All of the goals identified in the Agency Narrative are applicable to this program. The Court will continue to make every effort to meet its obligations impartially, effectively, and efficiently.

### Financial Data:

	Actual FY00	Approp FY01	Request FY02	Recom FY02	Request FY03	Recom FY03
General Fund	0	0	0	0	0	0
Cash Fund	2,302,805	2,637,466	2,744,529	2,708,523	2,738,023	2,817,307
Federal Fund	29,033	27,157	27,553	28,460	27,553	29,806
Revolving Fund	0	0	0	0	0	0
Other Fund	0	0	0	0	0	0
<b>Total Agency</b>	<b>2,331,838</b>	<b>2,664,623</b>	<b>2,772,082</b>	<b>2,736,983</b>	<b>2,765,576</b>	<b>2,847,113</b>

### Performance Measures:

Description	FY00 Actual	FY01 Current	FY02 Request	FY03 Request
# of appl @ 1st contested stage	1,532	1,600	1,600	1,600
# of appl @ review stage	124	130	130	130
# of appeals to Appeals & Supreme Ct	54	58	58	58
# of motions filed	1,627	1,650	1,650	1,650
# of LSS reviewed for appr/disapp	2,028	2,050	2,050	2,050
# of IDR/Mediation cases	180	195	195	195
# of certified VR counselors	225	230	230	230
# of req for appointment of VR counselor	193	200	200	200
# of VR plans approved	519	550	550	550
Amt pd from Trust Fund for VR training	768,733	800,000	800,000	800,000
# of mngd care plans certified	9	10	10	10
# of employers cvrd by cert mngd plans	1,623	2,000	2,000	2,000
# of employees cvrd by cert mngd plans	97,085	105,000	105,000	105,000
# of physicians approved as IME	312	315	315	315
# of req filed for assign of IME	95	100	100	100
# of cases invest by Compliance	293	310	310	310
# of employers approved for self ins	62	66	66	66
# of employees covered by self ins	134,287	140,000	140,000	140,000
# of injury & pymt rpts filed & processed	127,301	129,000	129,000	129,000
# of calls recd on 800 line	22,530	24,000	24,000	24,000
# of diff types of info items available	138	145	145	145

## Agency 37 - Workers' Compensation Court Program 635 - Acting Judges' Salaries

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### Program Objectives:

This program is maintained solely for the purpose of providing salaries for acting judges that may be appointed by the Governor pursuant to section 48-155.01.

### Financial Data:

	Actual FY00	Approp FY01	Request FY02	Recom FY02	Request FY03	Recom FY03
General Fund	0	0	0	0	0	0
Cash Fund	0	0	205,356	55,267	205,356	55,267
Federal Fund	0	0	0	0	0	0
Revolving Fund	0	0	0	0	0	0
Other Fund	0	0	0	0	0	0
<b>Total Agency</b>	<b>0</b>	<b>0</b>	<b>205,356</b>	<b>55,267</b>	<b>205,356</b>	<b>55,267</b>

### Performance Measures:

Performance measures are not appropriate for salaries set by statute for judges. A measure of their work is provided in Program 530 as part of the total Court effort to promptly resolve disputed cases.